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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7 CAROLYN D. SCHOFIELD,

8 Plaintiff(s),

9 v.

10 NANCY A. BERRYHILL,

11 Defendant(s).

Case No. 2:16-CV-1044 JCM (GWF)

ORDER

12  
13 Presently before the court is Magistrate Judge Foley's report and recommendation  
14 ("R&R"). (ECF No. 22). No objections have been filed, and the deadline for filing objections has  
15 since passed.

16 This court "may accept, reject, or modify, in whole or in part, the findings or  
17 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects  
18 to a magistrate judge's report and recommendation, then the court is required to "make a de novo  
19 determination of those portions of the [report and recommendation] to which objection is made."  
20 28 U.S.C. § 636(b)(1).

21 Where a party fails to object, however, the court is not required to conduct "any review at  
22 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149  
23 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
24 magistrate judge's report and recommendation where no objections have been filed. *See United*  
25 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review  
26 employed by the district court when reviewing a report and recommendation to which no  
27 objections were made).

1 Magistrate Judge Foley's R&R recommends that the court deny plaintiff's outstanding  
2 motion to remand and grant defendant's outstanding motion to affirm. (ECF No. 22); *see* (ECF  
3 Nos. 18, 19).

4 Plaintiff has not objected to the report and recommendation. Nevertheless, this court finds  
5 it appropriate to engage in a *de novo* review to determine whether to adopt the recommendation of  
6 the magistrate judge. Upon reviewing the recommendation and underlying briefs, the court finds  
7 that good cause appears to adopt the magistrate judge's findings.

8 Accordingly,

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge  
10 Foley's report and recommendation (ECF No. 22) be, and the same hereby is, ADOPTED in its  
11 entirety.

12 IT IS FURTHER ORDERED that plaintiff's motion to remand (ECF No. 18) be, and the  
13 same hereby is, DENIED.

14 IT IS FURTHER ORDERED that defendant's motion to affirm (ECF No. 19) be, and the  
15 same hereby is, GRANTED.

16 The clerk shall enter judgment accordingly and close the case.

17 DATED March 15, 2018.

18   
19 UNITED STATES DISTRICT JUDGE